

Rhode Island - EQIP Policy Decisions for Fiscal Year 2006 FINAL

These policies are effective for the Fiscal Year 2006 EQIP Program.

Cutoff Date for 2006 EQIP Application Period

The State Conservationist established a **cutoff date of February 10th, 2006** for the 2006 EQIP Program. Applications received after February 10, 2006 will be considered for next year's program. Applicants that meet the **February 10th** deadline must complete ALL eligibility requirements **prior to March 10, 2006** to maintain eligibility for the funding allocated in the FY 06 ranking period. See *EQIP Application Requirements* for all paperwork and other criteria that must be established prior to March 10, 2006. Upon receipt of an FY 2006 application, NRCS will notify all applicants of the additional requirements that must be met.

Agricultural Producer Eligibility Criteria

In RI, the following must be met to be determined an agricultural producer for the Environmental Quality Incentives Program (EQIP):

1. In order to be considered an agricultural producer, there must be a minimum of \$2500 or more of agricultural products produced and sold each year, or that normally would have been sold each year for two of the last five years. The following exceptions apply:
 - a. Limited resource producers must meet the minimum National criteria, which states "in order to be considered an agricultural producer, there must be a minimum of \$1000 or more of agricultural products produced and sold each year, or that normally would have been sold each year for two of the last five years."
 - b. Forest landowners must own a minimum of ten (10) acres of forest land and there must be a minimum of \$1000 or more of agricultural products produced and sold each year, or that normally would have been sold each year for two of the last five years. In addition, producers with forest land must meet one of the following:
 - i. A forest management plan or forest stewardship plan, or
 - ii. A prior record of timber harvest or revenue from timber sales, or
 - iii. Proof of capital investment on forest practices such as:
 1. tree plantings
 2. forest stand improvement
 3. site preparation
 4. other agro forestry practices
2. For Horse operations, there must be a minimum of \$2500 or more of agricultural products produced and sold each year, or that normally would have been sold each year for two of the last five years; plus there must be a minimum of 5 Animal Units (an animal unit is defined as 1000 lbs. of live weight, so 5 animal units must equal 5000 lbs., or approximately 3-4 horses, depending on their size) and 5 undeveloped acres with

non-hydric soil contiguous to the barn, unless granted an exception by the State Conservationist. Stabling operations, without the production of food, fiber or breed stock, are ineligible.

For all of the above, agricultural products include, but are not limited to, crops and livestock produced for food; fiber; breeding stock; plus ornamentals such as cut flowers, nursery stock or sod; seed crops; trees and other agro-forestry products,

All producers who think they meet the qualifications listed above MUST provide a summary of the crops and/or livestock produced and/or sold for each of the last five years. In addition, for each year, please list the number of acres in production by crop type, and/or list the number of acres grazed for livestock operations, as applicable. Or, if preferable, applicants may provide a copy of IRS Schedule F form for each of the last five years, in lieu of the summary of crops/livestock produced.

Agricultural Waste Management System Planning

NRCS requires a Comprehensive Nutrient Management Plan (CNMP) as a condition of eligibility for EQIP if a waste treatment facility is planned or needed. See the *CNMP Fact Sheet* for more information on what is required to be addressed in a CNMP. In RI, three practices will trigger the requirement for a CNMP: waste storage structure, heavy use area protection and/or compost facility. EQIP Manual 515.111a states that “A CNMP must be developed prior to the implementation of a waste storage/treatment facility. CNMP implementation is to be completed no later than three years after the installation of the waste storage or treatment facility, unless a waiver is granted by the State Conservationist.” As such, waste storage facilities will not be scheduled in the first year of an EQIP contract unless a CNMP has been developed and approved prior to contract development. This policy also requires that all practices identified in the CNMP, including land treatment practices needed where wastes are applied, must be completed within three years of installing a waste storage facility.

Irrigation and Irrigation Water Management

According to Sections 515.62 b and 515.92 b of the EQIP Manual, “a participant will be eligible for cost-share or incentive payments for irrigation related structural and land management practices only on land that has been irrigated for two of the last five years prior to application for assistance.” In RI, eligibility for cost share on irrigation practices is limited to replace existing irrigation systems or where existing water withdrawals may cause or exacerbate low flows in watersheds. Existing irrigation systems are defined as those that are normally used in agricultural settings, such as, but not limited to, lay-flat or aluminum pipes, high impact sprinklers, and traveling guns. Tank trucks and garden hoses do not qualify as an existing system. In addition only irrigation systems that can achieve an overall decrease in existing water use as determined by NRCS are eligible for EQIP. According to NRCS irrigation practice standards, an Irrigation Water Management plan is required for any irrigation related practice and will be included as part of an EQIP contract. In addition, all producers using more than an average of 8500 gallons per day (GPD) from June 1 to August 31 requesting cost share assistance with any irrigation practice must install a functioning flow meter. Cost share is allowed on the flow meter.

Limited Resource Producers and Beginning Farmers

Limited Resource Producers and Beginning Farmers are eligible for a higher cost share rate, according to EQIP Manual 515.81c. Any applicant seeking to receive the higher cost-share rate as either Beginning or Limited Resource Farmer must certify eligibility in block 7a when they submit the CCC-1200 application form. Definitions for both can be found in the section noted above, as well as on the CCC-1200. Cost-share rates for limited resource producers and beginning farmers are 90% for all practices except certain management practices which provide a 100% incentive payment.

New or Expanding Livestock Operations

According to Section 515.82c of the EQIP Manual, the State Conservationist is responsible for developing a ranking process that gives higher priority to applications that address national priorities and optimize environmental benefits. Using the guidance provided, the State Conservationist has determined that implementing practices on existing operations should be given priority over practices proposed on new or expanding operations.

For Existing Operations:

- Highest priority is on existing livestock operations with the most significant natural resource concerns.
- 100% of environmental benefit points are allowed for the proposed animal waste management facilities.

For New or Expanding Operations:

- Highest priority is on the most significant natural resource concerns.
- A new operation includes any new enterprises on an existing operation.
- An expanding operation is one whose plans include increasing the number of animal units more than 25% over the life of an EQIP contract.
- 75% of environmental benefit points are allowed for the proposed animal waste management facilities.

Cost Sharable Conservation Practices

Eligible practices for cost share are those on the 2006 EQIP Practice List. Particular attention needs to be paid to the italicized section under many of the practices, which provides more specific information on the conditions for which practices may be planned in an EQIP contract.

EQIP applicants may submit a request to the State Conservationist for cost share on innovative or new practices not shown on the 2006 Practice List, according to EQIP manual (515.91f). However, cost share will not be provided until interim practice standards are developed and approved by the State Conservationist, with input from the State Technical Committee.

Deer Fencing: NRCS will allow cost share for deer fencing under the following conditions:

- 1) Crops Eligible for Deer Fencing are orchards, Christmas trees, nursery stock, vegetables (including herbs and sweet corn), planted sugar maple operations, vineyards, sod, small fruits and berries, and high value timber stands at the seedling/sapling diameter class.(on average, less than 2 1/2" diameter DBH).

- 2) A copy of a RIDEM Division of Agriculture deer damage permit, unless not eligible to receive a permit from DEM due to site constraints and/or town ordinance. Forest landowners do not have to comply with this element.
- 3) A crop damage report must be submitted with each application for deer fencing (see Deer Damage Reporting Form for RI EQIP). Applicants must document the approximate percentage of crops lost to deer predation for each of the three years prior to the date of application, and the steps taken in the past to prevent the damage.
- 4) New fields yet to be planted are eligible for deer fencing if the applicant can demonstrate damage on similar crops nearby.
- 5) Fields to be fenced must meet NRCS quality criteria by the end of the contract period for the following: 1) water quality as it relates to nutrient and pest management; 2) soil erosion must be controlled to no more than 2 T or must achieve at least a 50% reduction in soil loss if current losses are greater than 4T; and, 3) threatened and endangered species and species of concern must not be negatively affected by the fencing.
- 6) Fences will be located such that continued wildlife movement is allowed on the farm; i.e., individual fields will be fenced vs. the entire farm operation. All fence systems covered under the program must be complete for the field; i.e., no fences will be cost shared that do not complete a loop around the field/area to be protected.
- 7) If approved for funding portable deer fencing must be maintained for the lifespan of the fence or the contract, whichever is longer, on the tract of land under contract.
- 8) Maximum fencing allowed per applicant is 5000 linear feet per contract.

Cost Sharable Conservation Practices on Private, Non-Industrial Forestland

Structural and management practices for forestland shall be considered for cost sharing under EQIP when the primary purpose(s) of the practice is improvement of water quality, reduction of sediment yield, wildlife or pest management, and natural regeneration for species of concern, such as but not limited to northern red oak, butternut, American chestnut, black ash, and white cedar. Other species may also be considered if current conditions on site do not support its natural regeneration. Practices whose sole purpose is to enhance production are not eligible for EQIP cost sharing. Silvicultural practices shall be included in a forest management plan prepared by a qualified forester. Practice eligibility shall be determined by NRCS in consultation with the forester preparing the plan or a qualified forester retained by NRCS.

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